

**Remarks**

Claims 1-19 are pending in the application.

Claims 1-3 and 5-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Fangman et al. (US 2002/0150083 A1, hereinafter Fangman).

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fangman.

Each of the various rejections and objections are overcome by amendments that are made to the specification, drawing, and/or claims, as well as, or in the alternative, by various arguments that are presented.

Entry of this Amendment is proper under 37 CFR 1.116 since the amendment: (a) places the application in condition for allowance for the reasons discussed herein; (b) does not raise any new issue requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution; (c) satisfies a requirement of form asserted in the previous Office Action; (d) does not present any additional claims without canceling a corresponding number of finally rejected claims; or (e) places the application in better form for appeal, should an appeal be necessary. The amendment is necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. Entry of the amendment is thus respectfully requested.

Any amendments to any claim for reasons other than as expressly recited herein as being for the purpose of distinguishing such claim from known prior art are not being made with an intent to change in any way the literal scope of such claims or the range of equivalents for such claims. They are being made simply to present language that is better in conformance with the form requirements of Title 35 of the United States Code or is simply clearer and easier to understand than the originally presented language. Any amendments to any claim expressly made in order to distinguish such claim from known prior art are being made only with an intent to change the literal scope of such claim in the most minimal way, i.e., to just avoid the prior art in a way that leaves the claim novel and not obvious in view of the cited prior art, and no equivalent of any subject matter remaining in the claim is intended to be surrendered.

Also, since a dependent claim inherently includes the recitations of the claim or chain of claims from which it depends, it is submitted that the scope and content of any

dependent claims that have been herein rewritten in independent form is exactly the same as the scope and content of those claims prior to having been rewritten in independent form. That is, although by convention such rewritten claims are labeled herein as having been "amended," it is submitted that only the format, and not the content, of these claims has been changed. This is true whether a dependent claim has been rewritten to expressly include the limitations of those claims on which it formerly depended or whether an independent claim has been rewritten to include the limitations of claims that previously depended from it. Thus, by such rewriting no equivalent of any subject matter of the original dependent claim is intended to be surrendered. If the Examiner is of a different view, he is respectfully requested to so indicate.

#### **Rejection Under 35 U.S.C. 102**

Claims 1-3 and 5-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Fangman. The rejection is traversed.

#### **Claims 1-3 and 5-15**

Anticipation requires the presence, in a single prior art disclosure, of each and every element of the claimed invention, arranged as in the claim. Fangman fails to disclose each and every element of claim 1, as arranged the claim.

Specifically, Fangman fails to teach or suggest at least the limitations of "(c) adding, at the first node, a VPN identifier to each voice packet of the voice call; (e) removing, at the second node, the VPN identifier from each voice packet of the voice call; wherein the VPN identifier identifies a VPN of the customer," as claimed in Applicants' claim 1.

Rather, Fangman merely discloses an IP telephony system supporting internal and external call sessions in which the system distinguishes between internal and external call sessions by comparing public IP addresses of a first Media Gateway and a second Media Gateway where the first Media Gateway is selected based on the source IP address and the second Media Gateway is selected based on the destination telephone number.

Fangman is devoid of any teaching or suggestion of a VPN identifier that identifies a VPN of a customer, where the VPN identifier is added to voice packets at an

first node and the VPN identifier is removed from voice packets at a second node, as arranged in Applicants' claim 1.

In the Advisory Action, the Examiner cites specific portions of Fangman, asserting that the cited portions of Fangman teach Applicants' claim 1. Specifically, the Examiner cites Figures 6A and 6B, Figure 9C, and Figure 10A and, further, cites Paragraphs 0306, 0373, and 0389, asserting that the cited portions of Fangman disclose Applicants' claim 1. Applicants respectfully disagree.

Figures 6A and 6B of Fangman are clearly directed toward an IP telephone registration process, not propagation of voice data. Specifically, Fangman states that "FIGS. 6A, 6B and 6C flowchart an IP telephone registration process..." (Fangman, Paragraph 0037, Emphasis added). Thus, this portion of Fangman cited by the Examiner has nothing to do with features of Applicants' claim 1. Furthermore, Applicants submit that Figures 6A and 6B are devoid of any teaching or suggestion of a VPN identifier that identifies a VPN of a customer, where the VPN identifier is added to voice packets at a first node and the VPN identifier is removed from voice packets at a second node, as claimed in Applicants' claim 1.

Furthermore, while Figures 9C and 10A of Fangman appear to be more applicable to Applicants' claim 1 than Figures 6A and 6B of Fangman, Figures 9C and 10A of Fangman also are devoid of any teaching or suggestion of a VPN identifier that identifies a VPN of a customer, where the VPN identifier is added to voice packets at a first node and the VPN identifier is removed from voice packets at a second node, as claimed in Applicants' claim 1.

Applicants note that Figure 9C of Fangman merely indicates that a VPN Concentrator receives encrypted traffic, decrypts the encrypted traffic, and forwards the traffic to a local router. Figure 9C of Fangman is devoid of any teaching or suggestion of a VPN identifier that identifies a VPN of a customer.

Applicants further note that Figure 10A of Fangman merely describes use of tunneling between a Service Gateway 170 and a VPN Concentrator 136 in which packets are forwarded from SG 170 to VPN Concentrator 136 using the IP address of VPN Concentrator 136. More specifically, Figure 10A of Fangman merely indicates that a VPN Concentrator selects a destination tunnel from the VPN Concentrator to a Service

Gateway based on a destination IP address (see step 1044), and that the VPN Concentrator performs IPSec encryption before forwarding traffic over the destination tunnel (see step 1048). The destination IP address is not a VPN identifier that identifies a VPN of a customer. The use of IPSec encryption does not teach or suggest a VPN identifier that identifies a VPN of a customer.

Thus, for at least these reasons, Applicants submit that Figures 9C and 10A are devoid of any teaching or suggestion of a VPN identifier that identifies a VPN of a customer, where the VPN identifier is added to voice packets at a first node and the VPN identifier is removed from voice packets at a second node, as claimed in Applicants' claim 1.

Furthermore, each of Paragraphs 0306, 0373, and 0389 fails to teach or suggest a VPN identifier that identifies a VPN of a customer, where the VPN identifier is added to voice packets at a first node and the VPN identifier is removed from voice packets at a second node, as claimed in Applicants' claim 1.

With respect to Paragraph 0306 of Fangman, this portion of Fangman merely states that an original packet is encapsulated in a new packet with a source address of the external interface address of the Service Gateway and a destination address of the VPN Concentrator. This portion of Fangman is devoid of any teaching or suggestion of a VPN identifier that identifies a VPN of a customer. The IP address of a VPN concentrator serving one side of a connection (e.g., serving the source device) is not a VPN identifier that identifies a VPN of a customer.

With respect to Paragraph 0373 of Fangman, this portion of Fangman merely states that a Service Gateway 170 may perform IPSec encryption, and that packet header information may include changes in which a source IP address is set to a Public NAT address and a destination IP address is set to that of the VPN Concentrator. Again, the IP address of a VPN concentrator serving one side of a connection (e.g., serving the source device) is not a VPN identifier that identifies a VPN of a customer. Additionally, IPSec encryption does not provide a VPN identifier that identifies a VPN of a customer.

With respect to Paragraph 0389 of Fangman, this portion of Fangman merely states that that a Service Gateway 170 may perform IPSec encryption, stating that the original packet is encapsulated in a new packet with a source address of the external

interface address of the Service Gateway, and the destination address of the VPN Concentrator, and that the SG 170 forwards data over a selected tunnel to the VPN Concentrator. Again, the cited portion of Fangman is devoid of any teaching or suggestion of a VPN identifier that identifies a VPN of a customer.

Furthermore, Applicants note that the tunneling between SG 170 and VPN Concentrator 136 merely corresponds to one side of the connection between the source IP phone and the destination IP phone. Thus, the teachings of Fangman that are directed toward interaction between SG 170 and VPN Concentrator 136 do not correspond to the arrangement of Applicants' claim 1. As claimed in Applicants' claim 1, the originating point is associated with a first node and the terminating point is associated with a second node. By contrast, Fangman discloses that the SG 170 and the VPN Concentrator 136 are both associated with either a source IP phone or a destination IP phone. Thus, the SG 170 and the VPN Concentrator 136 of Fangman, as well as the tunneling between them, cannot be relied upon for teaching the limitations of "(c) adding, at the first node, a VPN identifier to each voice packet of the voice call" and "(e) removing, at the second node, the VPN identifier from each voice packet of the voice call," as claimed in Applicants' claim 1.

Moreover, as described in Applicants' previous responses, each of the other portions of Fangman cited by the Examiner fails to teach or suggest a VPN identifier that identifies a VPN of a customer, and, thus, Fangman fails to teach or suggest a VPN identifier that identifies a VPN of a customer where the VPN identifier is added to voice packets at a first node and the VPN identifier is removed from voice packets at a second node, as claimed in Applicants' claim 1.

As such, independent claim 1 is not anticipated by Fangman and is patentable under 35 U.S.C. 102. Furthermore, since all of the dependent claims that depend from the independent claims include all the limitations of the respective independent claim from which they ultimately depend, each such dependent claim is also allowable over Fangman.

Therefore, Applicants' claims 1-3 and 6-15 (claim 5 has been cancelled herein) are allowable over Fangman under 35 U.S.C. 102. The Examiner is respectfully requested to withdraw the rejection.

**Claims 16-19**

Claims 16-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Fangman. The rejection is traversed.

Anticipation requires, in a single prior art reference, disclosure of each and every element of the claimed invention, arranged as in the claim. Fangman fails to disclose each and every element of claim 16, as arranged in the claim.

Specifically, the Fangman reference fails to teach or suggest at least the limitations of “wherein said packet switch adds a VPN identifier to voice packets of a voice call when said packet switch is operating as an ingress packet switch for the voice call; wherein said packet switch removes a VPN identifier from voice packets of a voice call when said packet switch is operating as an egress packet switch for the voice call; wherein the VPN identifier identifies a VPN of the customer,” as claimed in Applicants’ claim 16.

As described herein with respect to claim 1, Fangman fails to teach or suggest a VPN identifier that identifies a VPN of a customer, where the VPN identifier is added to voice packets at a first node and the VPN identifier is removed from voice packets at a second node. Similarly, for at least the reasons discussed hereinabove with respect to claim 1, Fangman also fails to teach or suggest a VPN identifier that identifies a VPN of a customer, where the VPN identifier is added to voice packets and removed from voice packets at a packet switch depending the mode in which the packet switch is operating for each voice packet (namely, adding a VPN identifier to voice packets of a voice call when the packet switch is operating as an ingress packet switch for the voice call, and removing a VPN identifier from voice packets of a voice call when the packet switch is operating as an egress packet switch for the voice call).

As such, independent claim 16 is not anticipated by Fangman and is patentable under 35 U.S.C. 102. Furthermore, since all of the dependent claims that depend from the independent claims include all the limitations of the respective independent claim from which they ultimately depend, each such dependent claim is also allowable over Fangman.

Therefore, Applicants' claims 16, 17, and 19 (claim 18 has been cancelled) are allowable over Fangman under 35 U.S.C. 102. The Examiner is respectfully requested to withdraw the rejection.

**Rejection Under 35 U.S.C. 103(a)**

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fangman. The rejection is traversed.

This ground of rejection applies only to a dependent claim, and is predicated on the validity of the rejection under 35 U.S.C. 102 given Fangman. Since the rejection under 35 U.S.C. 102 given Fangman has been overcome, as described hereinabove, this ground of rejection cannot be maintained.

Therefore, Applicants' claim 4 is allowable over Fangman under 35 U.S.C. 103(a). The Examiner is respectfully requested to withdraw the rejection.

**Conclusion**

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

If, however, the Examiner still believes that there are unresolved issues, the Examiner is invited to call Michael Bentley or Eamon Wall at (732) 530-9404 so that arrangements may be made to discuss and resolve any such issues.

Respectfully submitted,

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